THE HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT APPEAL No. 2264 of 2005

28-11-2005

Between:

Vemulapalli Vishweswara Rao & Another.

..... APPELLANTS

AND

The Mandal Revenue Officer, Makloor Mandal, Nizamabad District & Others.

.....RESPONDENTS

THE HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT APPEAL No. 2264 of 2005

JUDGMENT: (Per Hon'ble Sri G.S.Singhvi, CJ)

This appeal is directed against order dated 14.11.2005 passed by the learned Single Judge in Writ Petition No.24291 of 2005, whereby, while refusing to entertain the appellants' grievance against resumption of land, he directed the Revenue Divisional Officer, Nizamabad to dispose of their appeals within a period of four weeks. The learned Single Judge also refused to allow the appellants to harvest the crop by observing that they did not have the right to sow the crop on the resumed land.

Learned Government Pleader fairly submits that the crop sown by the appellants will be harvested and the proceeds will be deposited in a separate account and further that if the appellants succeed, then the amount will be handed over to them.

In our opinion, the submission made on behalf of the Government is reasonable and deserves to be acted upon.

Hence, the appeal is disposed of in the following terms;

1. The direction given by the learned Single Judge for disposal of the appeals filed by the petitioners, is kept intact;

2. The crop sown by the appellants on the resumed land be harvested by the competent authority and proceeds thereof be deposited in a separate account. If the appellants succeed in the appeals, then the same be paid to them.

(G.S.SINGHVI, HCJ)

28th November 2005

_____ (BILAL NAZKI, J)

ajr